

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

Jessica Blair, Andrea Brandon,
Corissa Busse, Sachiko Graber,
and Alora Jones,

Civ. No. 24-1570 (JWB/SGE)

Plaintiffs,

v.

**ORDER ON
MOTIONS TO DISMISS**

The Nature Conservancy,
Douglas Shaw, and Does 1-30,

Defendants.

Amy Elizabeth Boyle, Esq., and Christopher J. Moreland, Esq., MSB Employment Justice LLP; and Emily McGrath, Esq., Sinclair Parer, Esq., and Therese Marie Lawless, Esq., Lawless, Lawless & McGrath, counsel for Plaintiffs.

Keith S. Moheban, Esq., Kelly Maxwell, Esq., Sharon S. Beck, Esq., and Tracey Holmes Donesky, Esq., Stinson LLP, counsel for Defendant The Nature Conservancy.

Sara Lewenstein, Esq., Nilan Johnson Lewis PA, counsel for Defendant Douglas Shaw.

Based on the file, record, and submissions, and for the reasons stated at the January 22, 2025 hearing, **IT IS HEREBY ORDERED** that:

1. Defendant Douglas Shaw's Motion to Dismiss (Doc. No. 27) is **GRANTED IN PART** and **DENIED IN PART** as follows:
 - a. Shaw's motion to dismiss Plaintiffs' Intrusion upon Seclusion claim (Count VII) is denied.
 - b. Shaw's motion to dismiss Corissa Busse's (Jane Doe 3) False Light claim (Count IX) is granted without prejudice.
 - c. Shaw's motion to dismiss Andrea Brandon's (Jane Doe 2) and Corissa Busse's (Jane Doe 3) Defamation claims (Count X) is granted without

prejudice, to the extent he argues the three statements identified are outside the statute of limitations. The motion is otherwise denied.

- d. Shaw's motion to dismiss Plaintiffs' Intentional Infliction of Emotional Distress claim (Count XI) is granted without prejudice.
- e. Shaw's motion to dismiss Plaintiffs' Negligent Infliction of Emotional Distress claim (Count XII) is granted without prejudice.

2. Defendant The Nature Conservancy's Motion to Dismiss (Doc. No. 39), is **GRANTED IN PART** and **DENIED IN PART** as follows:

- a. TNC's motion to dismiss Andrea Brandon's (Jane Doe 2) Sex Harassment-Hostile Work Environment (Title VII) claim (Count I) is granted.
- b. TNC's motion to dismiss Alora Jones's (Jane Doe 5) Sex Harassment-Hostile Work Environment (Title VII) claim (Count I) is denied.
- c. TNC's motion to dismiss Andrea Brandon's (Jane Doe 2) Sex Harassment-Hostile Work Environment (MHRA) claim (Count II) is granted.
- d. TNC's motion to dismiss Alora Jones's (Jane Doe 5) Sex Harassment-Hostile Work Environment (MHRA) claim (Count II) is denied.
- e. TNC's motion to dismiss Andrea Brandon's (Jane Doe 2) Sex Discrimination-Disparate Treatment (Title VII) claim (Count III) is denied.
- f. TNC's motion to dismiss Corissa Busse's (Jane Doe 3) Sex Discrimination-Disparate Treatment (Title VII) claim (Count III) is denied.
- g. TNC's motion to dismiss Alora Jones's (Jane Doe 5) Sex Discrimination-Disparate Treatment (Title VII) claim (Count III) is denied.
- h. TNC's motion to dismiss Andrea Brandon's (Jane Doe 2) Sex Discrimination-Disparate Treatment (MHRA) claim (Count IV) is denied.

- i. TNC's motion to dismiss Corissa Busse's (Jane Doe 3) Sex Discrimination-Disparate Treatment (MHRA) claim (Count IV) is denied.
- j. TNC's motion to dismiss Alora Jones's (Jane Doe 5) Sex Discrimination-Disparate Treatment (MHRA) claim (Count IV) is denied.
- k. TNC's motion to dismiss Jessica Blair's (Jane Doe 1) Retaliation (Title VII) claim (Count V) is denied.
- l. TNC's motion to dismiss Sachiko Graber's (Jane Doe 4) Retaliation (Title VII) claim (Count V) is denied.
- m. TNC's motion to dismiss Jessica Blair's (Jane Doe 1) Retaliation (MHRA) claim (Count VI) is denied.
- n. TNC's motion to dismiss Sachiko Graber's (Jane Doe 4) Retaliation (MHRA) claim (Count VI) is denied.
- o. TNC's motion to dismiss Plaintiffs' Intrusion upon Seclusion claim (Count VII) is denied.
- p. TNC's motion to dismiss Plaintiffs' Appropriation claim (Count VIII) is denied.
- q. TNC's motion to dismiss Corissa Busse's (Jane Doe 3) False Light claim (Count IX) is granted without prejudice.
- r. TNC's motion to dismiss Andrea Brandon's (Jane Doe 2) and Corissa Busse's (Jane Doe 3) Defamation claims (Count X) is granted without prejudice, to the extent it argues the three statements identified are outside the statute of limitations. The motion is otherwise denied.
- s. TNC's motion to dismiss Plaintiffs' Intentional Infliction of Emotional Distress claim (Count XI) is granted without prejudice.
- t. TNC's motion to dismiss Plaintiffs' Negligent Infliction of Emotional Distress claim (Count XII) is granted without prejudice.
- u. TNC's motion to dismiss Plaintiffs' Negligent Retention and Supervision claim (Count XIII) is granted without prejudice.

Date: January 22, 2025

s/ Jerry W. Blackwell

JERRY W. BLACKWELL

United States District Judge